

REMARKS

This Amendment is being filed in response to the Office Action mailed on April 15, 2008 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-5 and 7-17 remain in this application, where claims 6 and 18 have been canceled by this amendment without prejudice and where claims 1 and 15 are independent. Applicant reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

In the Office Action, the Examiner objected to the drawings for allegedly not showing every feature of the invention specified in claim 18. Without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claim 18 has been canceled without prejudice. The cancellation of claim

18 renders moot the objected to the drawings.

In the Office Action, the Examiner objected to claims 1-18 for certain informalities. In response, claims 1-17 have been amended to remove the informalities noted by the Examiner. Accordingly, withdrawal of the objection to claims 1-18 is respectfully requested. Further, claims 1-17 have been amended for non-statutory reasons, such as beginning the independent claims with 'An', and beginning the dependent claims with 'The.' Such amendments to claims 1-17 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-17 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,629,917 (Kamatani). Further, Claim 18 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kamatani in view of U.S. Patent No. 6,469,965 (Horita). It is respectfully submitted that claims 1-5 and 7-17 are patentable over Kamatani and Horita for at least the following reasons.

Kamatani is directed to an integrated optical pick-up device that includes a laser source which emits incoherent laser of varied

wavelength. As shown in FIG 4 and recited on column 4, lines 1-9, photo-detectors 46N and 47N supply their photo-current to a single amplifier 50. Further, "a switch array 54N and 56N controlled by a switch control circuit 58, selectively applies a bias voltage 59 to the selected photo-detector 46N and 47N." (Column 4, lines 1-9; emphasis added) That is, the desired photo-detector is selected by a switch, so that only one photo-detector is selected at any given time.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 15, amongst other patentable elements recites (illustrative emphasis provided) :

wherein only a first detector unit of the at least two optical detector units is operative, as determined by an identity of a first laser in use of the at least two lasers, a second detector unit of the at least two optical detector units being non-operative by virtue of not receiving light from a second laser of the at least two lasers so that an output of the second detector unit is floating and does not affects output signals produced by the first detector unit.

These features are nowhere disclosed or suggested in Kamatani. Rather, Kamatani discloses selecting photo-detector using a switch

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control circuit 58 and switches SW which adds complexity and cost.

Horita is cited to allegedly show other features and does not remedy the deficiencies in Kamatani.

Accordingly, it is respectfully requested that independent claims 1 and 15 be allowed. In addition, it is respectfully submitted that claims 2-5, 7-14 and 16-17 should also be allowed at least based on their dependence from independent claims 1 and 15 as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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